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9  
10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 MATTHEW BOUILLOUN, individually  
13 and on behalf of all others similarly  
14 situated,

15 Plaintiff,

16 vs.

17 FACEBOOK, INC., a Delaware  
18 corporation, and DOES 1-10, inclusive,

19 Defendants.

20 CASE NO.: 3:18-CV-02565

21 **COMPLAINT (CLASS ACTION)**

22 1. Violation of the Stored  
23 Communications Act (SCA) (18  
24 U.S.C. § 2701)

25 (Jury Trial Demanded)

1 Plaintiff Matthew Bouillon, individually and on behalf of all similarly situated  
 2 persons, by and through the undersigned attorneys alleges the following.

3 **NATURE OF THE ACTION**

4 1. In the run-up to the 2016 presidential election, Cambridge Analytica, LLC  
 5 (“Cambridge”), with Defendant Facebook, Inc’s (“Defendant” or “Facebook”) help,  
 6 stole the personal data of some 87 million Americans. Although the data breach has  
 7 only recently made headlines, Defendant has been aware for years of the loopholes and  
 8 vulnerabilities in its security measures that allowed this and similar breaches to occur.  
 9 Yet Facebook did next to nothing to prevent the breach, and entirely failed to warn  
 10 consumers that their information was at risk until well after the horse had left the barn.  
 11 Facebook’s actions and omissions were in direct violation of California and federal law,  
 12 and broke a basic promise Facebook used to induce consumers to entrust Facebook with  
 13 their personal information.

14 2. During the entire relevant period, Facebook’s terms of service assured  
 15 users that they “own all of the content and information you post on Facebook, and you  
 16 can control how it is shared through your privacy and application settings.” *See*  
 17 Facebook Terms of Service, January 30, 2015–present.  
 18 <https://www.facebook.com/terms.php>.

19 3. Further, in 2011, Facebook entered into a consent decree with the Federal  
 20 Trade Commission requiring Facebook to “not misrepresent in any manner, expressly  
 21 or by implication, the extent to which it maintains the privacy or security of covered  
 22 information, including, but not limited to: ... (C) the extent to which [Facebook] makes  
 23 or has made covered information accessible to third parties.” *In the Matter of Facebook,  
 24 Inc., a corporation, Agreement Containing Consent Order*, (“FTC Consent Order”), at  
 25 Section I.C.

26 4. The FTC Consent Order defined Covered information as:

27 [I]nformation from or about an individual consumer including, but not  
 28 limited to: (a) a first or last name; (b) a home or other physical address,  
 including street name and name of city or town; (c) an email address or

1 other online contact information, such as an instant messaging user  
 2 identifier or a screen name; (d) a mobile or other telephone number; (e)  
 3 photos and videos; (f) Internet Protocol (“IP”) address, User ID or other  
 4 persistent identified; (g) physical location; or (h) any information  
 5 combined with any of (a) through (g) above.

6 *Id.* at Section Definitions, 4.

7 5. The FTC Consent Order required Facebook to:

8 [I]n connection with any product or service, in or affecting commerce,  
 9 prior to any sharing of a user’s nonpublic information by [Facebook] with  
 10 any third party, which materially exceeds the restrictions imposed by a  
 11 user’s privacy setting(s), shall: A. clearly and prominently disclose to the  
 12 user, separate and apart from any “privacy policy,” “data use policy,”  
 13 “statement of rights and responsibilities” page, or other similar document:  
 14 (1) the categories of nonpublic user information that will be disclosed to  
 15 such third parties, (2) the identity or specific categories of such third  
 16 parties, and (3) that such sharing exceeds the restrictions imposed by the  
 17 privacy setting(s) in effect for the user; and B. obtain the user’s affirmative  
 18 express consent.

19 *Id.* at Sections II.A. and II.B.

20 6. Facebook has admitted that it failed in its responsibility to prevent third  
 21 parties – including Cambridge – from accessing and utilizing its users’ data. On April  
 22 10, 2018, Facebook’s CEO, Mark Zuckerberg, testified to the United States House of  
 23 Representatives Committee on Energy and Commerce that:

24 [I]t’s clear now that we didn’t do enough to prevent these tools from being  
 25 used for harm as well. That goes for fake news, foreign interference in  
 26 elections, and hate speech, as well as developers and data privacy. We  
 27 didn’t take a broad enough view of our responsibility, and that was a big  
 28 mistake. It was my mistake, and I’m sorry. I started Facebook, I run it, and  
 I’m responsible for what happens here.

29 7. In 2014, Cambridge improperly, and in violation of the Stored  
 30 Communications Act, 18 U.S.C. §§ 2701, et seq., obtained the personal information of  
 31 approximately 87 million registered Facebook users. This information included the  
 32 users’ full names, telephone numbers, mailing addresses, email addresses, ages,  
 33 interests, physical locations, political and religious affiliations, relationships, pages they  
 34 have liked, and groups to which they belong. Facebook users’ personal information was

1 sold for approximately \$7 million and was used in Cambridge's efforts to undermine  
2 the democratic process during the 2016 U.S. presidential election.

3 8. Facebook knew about the misuse of 87 million users' data in 2015, but it  
4 did not notify users or discuss this breach publicly until forced to confront the issue on  
5 March 17, 2018.

6 9. Facebook, contrary to the representations, obligations, and promises made  
7 to the federal government in 2011, knowingly set up its platform such that a third-party  
8 application developer who gained access to a user through an application could also  
9 access the personal information and data of that user's friends in violation of the Stored  
10 Communications Act, 18 U.S.C. §§ 2701, et seq. In addition, Facebook negligently  
11 failed to protect its users' data from such unauthorized access by a third party; upon  
12 learning about this unauthorized access and use of the personal data, failed to take  
13 reasonable steps required to claw back or, in the alternative, ensure the destruction of  
14 this data; and failed to notify its users' that such a breach had occurred, only admitting  
15 to the breach after their negligence was disclosed by a whistleblower.

16 10. Plaintiff brings this class action on behalf of himself and all others  
17 similarly situated, asserting claims under the Stored Communications Act (18 U.S.C. §§  
18 2701, *et seq.*).

19 11. Plaintiff seeks damages on behalf of the Class; injunctive relief; restitution;  
20 disgorgement; statutory penalties; costs and expenses, including attorneys' fees and  
21 expert fees; declaratory relief; and any additional relief that this Court determines to be  
22 necessary to provide complete relief to Plaintiff and the Class.

23 **THE PARTIES, JURISDICTION AND VENUE**

24 12. This Court has original jurisdiction of Plaintiff's and the Class' claims  
25 pursuant to 28 U.S.C. §§ 1331.

26 13. Plaintiff Matthew Bullion ("Plaintiff") is a resident of the City and County  
27 of Denver, Colorado. Plaintiff has held a Facebook account since at least 2007. Plaintiff  
28 is an active user and has been at all relevant times.

14. Defendant Facebook is a Delaware corporation with its principal place of business in Menlo Park, California.

15. Plaintiff does not know the true names and capacities of the defendants sued herein as Does 1 through 10 (“Doe Defendants”), inclusive, and therefore sues said Doe Defendants by fictitious names. Plaintiff is informed and believes and based thereon alleges that each of the Doe Defendants is contractually, strictly, negligently, intentionally, vicariously liable and/or otherwise legally responsible in some manner for the acts and omissions described herein. Plaintiff will amend this Complaint to set forth the true names and capacities of each Doe Defendant when the same are ascertained.

16. Plaintiff is informed and believes and based thereon alleges that Facebook and Doe Defendants 1 through 10, inclusive, and each of them, are and at all material times have been, the agents, servants or employees of each other, purporting to act within the scope of said agency, service or employment in performing the acts and omitting to act as alleged herein. Each of the Defendants named herein are believed to, and are alleged to, have been acting in concert with, as employee, agent, co-conspirator or member of a joint venture of, each of the other Defendants, and are therefore alleged to be jointly and severally liable for the claims set forth herein, except as otherwise alleged.

17. Venue is proper in this District as Defendant is a corporation that does business in and is subject to personal jurisdiction in this District. Venue is also proper because a substantial part of the events or omissions giving rise to the claims in this action occurred in or emanated from this District, including decisions made by Facebook to permit Cambridge's collection of the data of personally identifiable information of the Plaintiff and the Class.

## **FACTUAL ALLEGATIONS**

18. Facebook operates [www.facebook.com](http://www.facebook.com), a social networking platform that allows users to create online profiles. These profiles contain personalized content such as the user's name, photos, videos, messages, comments, names of other users they

1 consider to be “friends,” and interest groups. Users can interact with each other or the  
 2 platform in a variety of ways, including by posting comments, sharing photos or video,  
 3 chatting, using apps, playing online games, taking personality quizzes, or “liking”  
 4 content by pressing a thumbs-up icon. Accordingly, user profiles often contain sensitive  
 5 personal identifying information (“PII”) including the user’s name, location, political  
 6 views, work history, e-mail address, birthday, educational background, hometown,  
 7 relationship status, and religious beliefs.

8       19. Facebook purportedly grants its users control over who can view the  
 9 information users choose to include in their profiles. Facebook claims that “trust is  
 10 important to us,” and has promised users that Facebook “[does not] share information  
 11 we receive about you with others unless we have . . . received your permission; given  
 12 you notice such as by telling you about this policy; or removed your name and any  
 13 other personally identifying information from it.” *See* Facebook Data Use Policy (Nov.  
 14 15, 2013), [https://www.facebook.com/full\\_data\\_use\\_policy](https://www.facebook.com/full_data_use_policy) (available as of Mar. 22,  
 15 2018).

16       20. Facebook currently has approximately 2.2 billion active users. In the  
 17 United States alone, approximately 214 million people (i.e., two thirds of the country’s  
 18 entire population) have active Facebook accounts.

19       21. On March 17, 2018, the New York Times reported on Cambridge’s use of  
 20 personal identifying information (“PII”) that it obtained from 50 million Facebook users  
 21 without their permission. Cambridge obtained the data under the pretext that it was  
 22 collecting it for academic purposes. The New York Times story revealed that the Trump  
 23 campaign hired Cambridge to target voters online. *See*  
 24 <https://www.nytimes.com/2018/03/17/us/politics/cambridge-analytica-trump-campaign.html>.

26       22. By April 17, 2018, the number of Facebook users whose PII had been  
 27 improperly accessed swelled to “much greater than 87 million.” *See, e.g.*, Colin Lecher,  
 28 *Former Cambridge Analytica employee says Facebook users affected could be ‘much*

1 greater than 87 million', THE VERGE (Apr. 17, 2018).  
 2 <https://www.theverge.com/2018/4/17/17246928/cambridge-analytica-facebook-quizzesdata>.

4 23. Cambridge obtained PII belonging to Facebook's users by exploiting a  
 5 loophole in Facebook's application programming interface ("API"). An API is a set of  
 6 methods of communication between software applications. An API allows software  
 7 applications developed by outside entities to communicate with the host's systems.  
 8 Facebook makes its API available to third-party application ("app") developers such as  
 9 Cambridge.

10 24. In 2014, a Cambridge researcher, Aleksandr Kogan ("Kogan") created an  
 11 app called "ThisIsYourDigitalLife." The app was purportedly a personality quiz, and  
 12 was falsely advertised as a research app for use by academic psychologists. In reality,  
 13 however, the purpose of the app was to harvest the PII of Facebook users.

14 25. From 2014 to 2015, ThisIsYourDigitalLife was deployed, and  
 15 approximately 270,000 Facebook users took the quiz. The app used a vulnerability in  
 16 Facebook's API to access and acquire the PII of not only those users who took the quiz,  
 17 but also the PII of all of those users' "friends," i.e. linked user accounts. In total, PII  
 18 was collected from approximately 87 million users.

19 26. As reported in the Guardian, Cambridge used the PII collected from  
 20 ThisIsYourDigitalLife to attempt to influence the 2016 United States presidential  
 21 election:

22 The data analytics firm that worked with Donald Trump's election team  
 23 and the winning Brexit campaign harvested millions of Facebook profiles  
 24 of US voters, in one of the tech giant's biggest ever data breaches, and  
 25 used them to build a powerful software program to predict and influence  
 26 choices at the ballot box.

27 A whistleblower has revealed to the Observer how Cambridge Analytica –  
 28 a company owned by the hedge fund billionaire Robert Mercer, and headed  
 at the time by Trump's key adviser Steve Bannon – used personal  
 information taken without authorization in early 2014 to build a system

1 that could profile individual US voters, in order to target them with  
 2 personalized political advertisements.

3 Christopher Wylie, who worked with a Cambridge Analytica University  
 4 academic to obtain the data, told the Observer: “We exploited Facebook to  
 5 harvest millions of people’s profiles. And built models to exploit what we  
 6 knew about them and target their inner demons. That was the basis the  
 7 entire company was built on

8 *Revealed: 50 Million Facebook Profiles Harvested For Cambridge Analytica In Major*  
 9 *Data Breach*, The Guardian (March 17, 2018).

10 27. In 2011 – years before the 2014 data breach – Facebook entered into a  
 11 consent decree with the Federal Trade Commission, whereby Facebook agreed to  
 12 refrain from sharing PII with third-party entities without its users’ consent. Facebook  
 13 further promised not to misrepresent to users that their PII was secure, when it was in  
 14 fact not.

15 28. Facebook learned of the 2014 breach shortly after it occurred. In 2015,  
 16 Facebook learned that Cambridge had obtained the data collected by the  
 17 ThisIsYourDigitalLife app. However, Facebook decided not to inform affected users  
 18 that their PII had been compromised and misappropriated. Facebook further failed to  
 19 inform the public at large.

20 29. Facebook later claimed that, in 2015, Facebook had asked Cambridge to  
 21 certify that it had destroyed the improperly collected data. Although Facebook claimed  
 22 that Cambridge provided such certification, Facebook made no effort to determine  
 23 whether the PII had in fact been deleted. In reality, Cambridge retained the data, and  
 24 would later use it in concert with the Trump campaign to influence the 2016  
 25 presidential election.

26 30. As of today, the data obtained by Cambridge is still in the hands of  
 27 Cambridge and/or its affiliates.

28 31. As a result of the data theft, Plaintiff’s and Class members’ PII is now in  
 29 the hands of Cambridge and other unknown parties. Plaintiff and the Class are,

1 consequently, faced with an imminent and substantial risk of identity theft and other  
 2 fraud, a concrete and particularized injury traceable to Facebook's conduct. By  
 3 knowledge and belief, the stolen PII has already spread to other grounds, databases and  
 4 the so-called "dark web," making it difficult or impossible to recover the data and  
 5 prevent further misuse.

6       32. Facebook was unaware of the security vulnerability exploited by  
 7 Cambridge years in advance. Sandy Parakilas, the platform operations manager at  
 8 Facebook responsible for policing data breaches by third-party software developers  
 9 between 2011 and 2012, stated that he warned senior Facebook executives years ago  
 10 that this could happen: "[M]y concerns were that all of the data that left Facebook  
 11 servers to developers could not be monitored by Facebook, so we had no idea what  
 12 developers were doing with the data ... It was well understood in the company that that  
 13 presented a risk ... Facebook was giving data of people who had not authorised the app  
 14 themselves ... It has been painful watching because I know that they could have  
 15 prevented it." Paul Lewis, "'Utterly Horrifying': Ex-Facebook Insider Says Covert Data  
 16 Harvesting Was Routine," The Guardian (Mar. 20, 2018),  
 17 <https://www.theguardian.com/news/2018/mar/20/facebook-data-cambridge-analytica-sandyparakilas>, last accessed Apr. 11, 2018.

19       33. Plaintiff did not use the ThisIsYourDigitalLife app and did not consent to  
 20 the sharing of his PII with Cambridge.

21       34. Facebook has recently created a page that users can access to see whether  
 22 they were victims of the Cambridge data breach. On April 30, 2018, Plaintiff check  
 23 whether he was a logging in to his Facebook account and accessing the following URL:  
 24 <https://m.facebook.com/help/1873665312923476?helpref=search&sr=1&query=cambri>  
 25 dge.

26       35. After accessing the URL referenced in the preceding paragraph, the  
 27 following image was displayed:

How can I tell if my information was shared with Cambridge Analytica?

Recently, we **shared information** about the potential misuse of your Facebook data by apps and websites. We also **shared plans** for how we're taking action to prevent this from happening in the future.

Check below to see if your information may have been shared with [Cambridge Analytica](#) by the app "This Is Your Digital Life."

## Was My Information Shared?

Based on our investigation, you don't appear to have logged into "This Is Your Digital Life" with Facebook before we removed it from our platform in 2015.

However, a friend of yours did log in.

As a result, the following information was likely shared with "This Is Your Digital Life":

- Your public profile, Page likes, birthday and current city

Accordingly, Plaintiff was a victim of the Cambridge data breach.

## CLASS ACTION ALLEGATIONS

36. Plaintiff brings this action against Defendants pursuant to Rule 23 of the Federal Rules of Civil Procedure on behalf of himself and all other persons similarly situated. Plaintiff seeks to represent the following class:

1 All Facebook users in the United States with Facebook accounts whose  
2 personal information was obtained by Cambridge from 2014 to 2015  
3 without or in excess of the users' authorization.

4 37. Excluded from the Class are: (a) any officers, directors or employees of  
5 Defendant; (b) any judge assigned to hear this case (or spouse or family member of any  
6 assigned judge); (c) any employee of the Court; and (d) any juror selected to hear this  
7 case. Plaintiff reserves the right to modify or amend the definition of the proposed Class  
8 before the Court determines whether certification is appropriate.

9 38. All requirements for class certification in Fed. R. Civ. P. 23(a), 23(b)(1),  
10 23(b)(2) or 23(b)(3) (or any other applicable state or federal rule of civil procedure) are  
11 satisfied with respect to the Class and the Class. Plaintiff and the respective Class  
12 Members were injured by Facebook's failure to protect user information. Facebook  
13 subjected Plaintiff and each Class member to the same unlawful actions and harmed  
14 them in the same manner.

15 39. Numerosity: The proposed classes are so numerous that joinder of all  
16 members would be impracticable. Plaintiff believes that the Class includes 87 million  
17 people. The precise number and identities of Class members can be ascertained through  
18 discovery regarding the information kept by Defendants or their agents.

19 40. Ascertainability: The community of interest among Class members in the  
20 litigation is well defined and the proposed classes are ascertainable from objective  
21 criteria. If necessary to preserve the case as a class action, the court itself can redefine  
22 the Class. Facebook maintains databases of its users and individual Class Members  
23 have access to accurate records that can confirm their membership in the proposed  
24 Class.

25 41. Plaintiff's claims are typical of the Class, as Plaintiff and all other Class  
26 Members were injured in exactly the same way - by the unauthorized collection and  
27 sale of their personal information through Facebook.

1       42. Plaintiff will fairly and adequately represent the interests of the Class and  
2 have retained counsel competent and experienced in class action and complex litigation.

3       43. Plaintiff has no interests that are contrary to or in conflict with those of the  
4 Class.

5       44. A class action is superior to other available methods for the fair and  
6 efficient adjudication of this controversy under the acts described below. Given the  
7 nature of these claims, the expense and burden of individual litigation make it virtually  
8 impossible for the Class Members individually to seek redress for the unlawful conduct  
9 alleged.

10      45. Plaintiff knows of no difficulty that will be encountered in the management  
11 of this litigation that would preclude its maintenance as a class action.

12      46. Common questions of law and fact exist as to all members of the Class and  
13 predominate over any questions effecting solely individual members of the Class.  
14 Among the questions of law and fact, common to the Class:

- 15       a. Whether Facebook represented that it would safeguard Plaintiff's and  
16           Class Members' personal information and not disclose it without consent;
- 17       b. Whether Cambridge improperly obtained Plaintiff's and Class members'  
18           personal information without authorization or in excess of any  
19           authorization;
- 20       c. Whether Facebook was aware of the improper collection of Plaintiff's and  
21           Class Member' personal information by Cambridge;
- 22       d. Whether Facebook owed a legal duty to Plaintiff and the Class to exercise  
23           due care in collecting, storing, safeguarding, and/or obtaining their  
24           personal information;
- 25       e. Whether Facebook breached a legal duty to Plaintiff and the Class to  
26           exercise due care in collecting, storing, safeguarding, and/or obtaining their  
27           personal information;
- 28       f. Whether Defendant's acts as alleged herein violated the SCA;

1 g. Whether Defendant's acts as alleged herein violated the California  
2 Customer Records Act (California Civil Code § 1798.80, *et seq.*); Invasion  
3 of Privacy; Conversion; and Negligence

4 47. Plaintiff brings this action under Rule 23(b)(2) because Defendant have  
5 acted or refused to act on grounds generally applicable to all members of the Class,  
6 thereby making final relief concerning the Class as a whole appropriate. In the absence  
7 of appropriate injunctive relief requiring Defendant to notify all Class Members that  
8 their private information has been breached, Class Members will suffer irreparable  
9 harm. Defendant's uniform conduct towards Plaintiff and the other members of the  
10 Class makes certification under Rules 23(b)(2) appropriate.

11 48. Likewise, particular issues under Rule 23(c)(4) are appropriate for  
12 certification because such claims present only particular common issues, the resolution  
13 of which would advance the disposition of this matter and the parties' interests therein.  
14 Such particular issues include, but are not limited to:

15 49. Particular issues under Rule 23(c)(4) are appropriate for certification,  
16 because such claims present only particular common issues, the resolution of which  
17 would advance the disposition of this matter and the parties' interest therein. Such  
18 particular issues include, but are not limited to:

19 a. Whether (and when) Facebook knew about the improper collection of  
20 personal information;

21 b. Whether Defendant's conduct was an unlawful or unfair business practice  
22 under Cal. Bus. & Prof. Code § 17200, *et seq.*;

23 c. Whether Facebook's representations that they would secure and not  
24 disclose without consent the personal information of Plaintiff and members  
25 of the classes were facts that reasonable persons could be expected to rely  
26 upon when deciding whether to use Facebook's services;

- 1 d. Whether Facebook misrepresented the safety of its many systems and
- 2 services, specifically the security thereof, and its ability to safely store
- 3 Plaintiff's and Class members' Personally Identifiable Information;
- 4 e. Whether Facebook failed to comply with its own policies and applicable
- 5 laws, regulations, and industry standards relating to data security;
- 6 f. Whether Facebook failed to meet its obligations under the User Terms of
- 7 Service;
- 8 g. Whether Defendant's acts, omissions, misrepresentations, and practices
- 9 were and are likely to deceive consumers;
- 10 h. Whether Facebook failed to adhere to its posted privacy policy concerning
- 11 the care it would take to safeguard and protect Class Members' personal
- 12 information; and
- 13 i. Whether Facebook negligently and materially failed to adhere to its posted
- 14 privacy policy with respect to the extent of its disclosure of users' Personal
- 15 Information.

**CAUSES OF ACTION**

**COUNT I**

**(Violation of the Stored Communications Act, 18 U.S.C. § 2701, *et seq.* on behalf of  
the National Class)**

20 50. Plaintiff incorporates all preceding paragraphs by reference as if fully set  
21 forth herein.

22 51. Plaintiff brings this claim individually and on behalf of the Class against  
23 Defendants.

24 52. The Stored Communications Act ("SCA") provides a private right of  
25 action against "a person or entity providing an electronic communication service to the  
26 public" who "knowingly divulge(s) to any person or entity the contents of a  
27 communication while in electronic storage by that service." *See* 18 U.S.C. § 2702(a)(1);  
28 *see also* 18 U.S.C. § 2707(a) (cause of action).

53. Facebook is a “person” within the meaning of the SCA and provides an “electronic communication service” as that term is defined in the code. The user information stored by Facebook and compromised by the Breach is encompassed within the definition of “electronic storage” under the SCA.

54. Facebook violated the SCA by exceeding any authorization to use Plaintiff's and Class members' stored electronic communications by allowing third parties to have access to Plaintiff's and Class members' stored electronic communications, including their profile and PII.

55. Section 2707 of the SCA allows for declaratory and equitable relief as appropriate and statutory damages of \$1,000 per violation, actual and punitive damages, and reasonable attorney's fees and costs.

## PRAYER FOR RELIEF

Plaintiff, on behalf of himself and the Class, prays for relief as follows:

A. For an order certifying that the action may be maintained as a class action and appointing Plaintiffs and their undersigned counsel to represent the Class in this litigation;

B. For a permanent injunction enjoining Defendant from continuing to harm Plaintiff and members of the Class and the public, and violating California and federal law in the manners described above;

### C. For restitution;

D. For actual and statutory damages pursuant to SCA;

E. For nominal, compensatory, and punitive damages where appropriate;

F. For reasonable attorneys' fees and the costs of the suit; and

G. For all such other relief as this Court may deem just and proper and may be available at law or equity.

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**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands trial by jury of all claims so triable.

## ZIMMERMAN REED LLP

Dated: May 1, 2018

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